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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,196	06/30/2003	Masaoki Yoshida	Q76318	8796

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EXAMINER
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PATEL, DHIRUBHAI R

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/608,196	Applicant(s) YOSHIDA ET AL.	
	Examiner DHIRU R. PATEL	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/19/06.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action: (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-3, 5-9, 11 and 14-16 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Fraioli (3,903,574) in view of Nakayama et al 4,818,236).

Fraioli disclose s:

Regarding claims 1 and 14, a plurality of first electric wires A, forming a first wire group (see fig 6); a plurality of second electric wires B, intersecting the first electric wires (see fig 6), while forming a second wire group (see fig 6); and a wiring member 11,12 (see fig 6) , which holds both of the first electric wires and the second electric wires, and said wiring member holds the first wire group in a first direction and the second wire group in a second direction which intersects the first direction such that the first wire group intersects the second wire group (see fig 6), but fails to disclose a first insulative sheet disposed between the first wire group and the second wire group. Nakaya ma et al teach the use of a first insulative sheet 8 disposed between the first wire group 6(1) through 6(4) and a second wire group 9(1) through 9(4) (see fig 2). it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Fraioli with an insulative sheet disposed between the first wire group and a second wire group of wire as taught by Nakayama et al in order to provide a seal over the entire length of the exposed wires up to and including the beginning of the insualtive wire covering and protect from rain and dust.

Regarding claim 2, the modified assembly of Fraioli disclose all of the claimed features as shown above, including the first insulative sheet is formed with at least one opening 7 located corresponding to at least one intersecting point at which one of the first electric wires and one of the second electric wires are electrically connected

(see fig 2 of Nakayama).

Regarding claim 3, the modified assembly of Fraioli shows all the features of the claimed invention as shown above, but fails to disclose further comprising a second insulative sheet, disposed between the wiring member and the second wire group. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Fraioli with a second insulative sheet, disposed between the wiring member and the second wire group, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Regarding claim 5, the modified assembly of Fraioli shows all the features of the claimed invention as shown above, but fails to disclose the first insulative sheet is provided as a flexible film. It would have been an obvious matter of design choice to use the first insulative sheet being provided as a flexible film, since applicant has not disclosed that the first insulative sheet being provided as a flexible film solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with if designed with the first insulative sheet being provided as a flexible film of the modified assembly of Fraioli .

Regarding claim 6, the modified assembly of Fraioli shows all the features of the claimed invention as shown above, but fails to disclose the first insulative sheet is comprised of either polyethylene terephthalate or polyethylene naphthalate. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Fraioli with the first insulative sheet being

comprised of either polyethylene terephthalate or polyethylene naphthalate, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Regarding claim 7, the modified assembly of Fraioli shows all of the claimed features as shown above, including wherein at least one of the first electric wires and the second electric wires is plated with tin (inherent properties of wires).

Regarding claim 8, the modified assembly of Fraioli shows all of the claimed features as shown above, including wherein the wiring member is formed with a plurality of grooves each partly holding one of the first electric wires or one of the second electric wires (grooves for inserting the first electric wires A and the second electric wires B, see figs 1 and 4 of Fraioli).

Regarding claim 9, the modified assembly of Fraioli shows all of the claimed features as shown above, including an electric junction box, comprising: a casing body 10, a first terminal 12, to which each one of the first electric wires held by the wiring member is press-fitted to be electrically connected therewith (see fig 4B, 4C and entire column 3 of Nakayama); and a second terminal 13, to which each one of the second electric wires held by the wiring member is press-fitted to be electrically connected therewith (see fig 3 and entire column of Nakayama). It is noted that the modified assembly of Fraioli meet the structural limitations.

Regarding claim 11, see figs 1-2 of Fraioli.

Regarding claims 15-16, see figs 3 and 6 of fraioli.

#### **Allowable Subject Matter**

2. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. Claims 4, 12-13 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the indication of the allowability of claims 4, 10, 12-13 are the inclusion therein, in combination as currently claimed, of the limitation of the second insulative sheet is formed with a plurality of grooves which respectively receive the second electric wires (for claims 4 and 12-13), and further comprising a cover, formed with a plurality of grooves which respectively receive the first electric wires (for claim 10).

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.

#### **Response to Arguments**


4. Applicant's arguments with respect to claims 1-3, 5-9 have been considered but are moot in view of the new ground of rejection.

#### **Contact information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R. PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
DHIRU R PATEL  
Primary Examiner  
Art Unit 2831  
9/29/08

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